Meeting of States Parties

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Draft decision on a floor/ceiling mechanism to regulate the remuneration of the members of the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Considering that, in respect of the level of remuneration of the members of the International Tribunal for the Law of the Sea, the fourth Meeting of States Parties decided to maintain equivalence with the remuneration levels of members of the International Court of Justice,

Considering also that the General Assembly devised a currency floor/ceiling mechanism for the emoluments of the members of the International Court of Justice through its resolution 43/217 of 21 December 1988 in order to deal with exchange rate fluctuations between the United States dollar and the local currency at the seat of the Court and that this mechanism has been applied since then to the emoluments of the members of the Court,

Considering further that the remuneration of the members of the Tribunal has been significantly affected by exchange rate fluctuations,

Having considered the request of the Tribunal as contained in document SPLOS/2005/WP.2,

Noting that the proposed increase will be financed in large part from savings from previous financial periods and on the understanding that thereafter every effort will be made in order to find corresponding savings elsewhere in the budget,

1. *Decides* to apply to the annual allowance and the special allowance of the members of the Tribunal, effective 1 July 2005, the same floor/ceiling mechanism as is applicable to the emoluments of the members of the Court, on the understanding that any adjustment made to the mechanism in respect of the Court would equally apply to the mechanism in respect of the Tribunal;

2. *Decides also* to authorize the Tribunal to finance overexpenditures due to the application of the floor/ceiling mechanism by using part of the savings from the financial period 2002 up to an amount of 263,000 euros and those from the financial period 2004 up to an amount of 150,000 euros;

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3. *Approves* a supplementary budget of 351,899 euros for the financial period 2005-2006;

4. *Decides* that the Registrar shall report to the sixteenth Meeting of States Parties on any action taken pursuant to the present decision.